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BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A Resolution Supporting the Forest Emergency Recovery & Research Act (FERRA) * RESOLUTION NO. 2005-141

WHEREAS, the number and severity of catastrophic events such as wildfire and windstorm causing severe resource damage on forest and rangelands has increased in recent decades, causing serious adverse environmental, social and economic consequences to both national and local interests; and

WHEREAS, catastrophic events devastate ecosystems, severely compromising their capacity to recover, delaying reestablishment of appropriate forest and plant cover, increasing the susceptibility of the lands to repeated wildfires and invasions of noxious plant species, increasing the frequency and severity of insect infestations and disease outbreaks on adjacent public and private lands, and causing increased erosion and degradation of riparian plant and wildlife habitats and water quality for human consumption; and

WHEREAS, authorities currently available to the Secretaries of Agriculture and the Interior to respond to catastrophic events on lands under their jurisdictions do not provide for timely and effective response activities, with currently required review processes frequently resulting in delays beyond the window of opportunity available for effective recovery plan implementation; and

WHEREAS, the Forest Emergency Recovery and Research Act ("FERRA") would provide authority for timely and effective responses to catastrophic events, allowing the land management agencies to rapidly respond to the unique characteristics of each event and the particular needs of each locale, allowing for the use of damaged trees and other resources before they lose all economic value, while restoring ecosystems to a naturally functioning state; and

WHEREAS, expedited procedures under FERRA would be limited to catastrophic events over 1,000 acres, providing for prompt evaluation of damage and risk assessments for federal and adjacent non-federal lands, interdisciplinary scientific review, public notice and full participation in the development of recovery plans, and access to speedy appeals and litigation if there are disagreements; and

WHEREAS, increased scientific research on the means and methods for best recovering ecosystems damaged by catastrophic events is needed, and FERRA provides for such research, including monitoring of restoration projects, partnerships with colleges and universities, and increased emphasis on implementing the results of such research in the formulation of response plans; and

WHEREAS, FERRA provides for involvement of state, local and tribal authorities in evaluating damage from catastrophic events and formulating appropriate response plans, thereby insuring that the interests of local communities and adjacent landowners are heard and considered;

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON supports prompt passage of the Forest Emergency Recovery and Research Act, with its commitment to timely responses to catastrophic events on federal lands, allowing for rapid restoration of ecosystems, usage of damaged trees before they lose all economic value, protection of adjacent lands from subsequent wildfires, insect infestations and disease outbreaks, and full public notice and participation, including involvement by state, local and tribal authorities in recovery planning and implementation.

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DATED this 28th day of November 2005.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ATTEST:

Bonnie Baker
Recording Secretary

Michael M. Daly
MICHAEL M. DALY, Vice Chair

Dennis R. Luke
DENNIS R. LUKE, Commissioner



The Forest Emergency Recovery & Research Act

OVERVIEW

Natural catastrophes such as tornadoes, windstorms, and insect epidemics are frequent occurrences in the forests of the United States. Large-scale catastrophic wildfires have become more common in recent years and are expected to continue until the health of our forests is restored. With approximately 190 million acres of federal land at high risk of catastrophic fire, restoration of forests will take many years. Because of catastrophic events, there are now over one million acres on our national forests in need of reforestation - and this number is increasing. Rapid assessment of damage, quick action, and funding are needed following catastrophic events to restore landscapes and prevent additional reforestation backlog. Furthermore, peer reviewed research is needed on the effects and effectiveness of some post catastrophic treatments.

The Forest Emergency Recovery and Research Act would address these concerns. It would require that any catastrophic event over 1,000 acres must be quickly evaluated and restoration recommendations made. At that point, the Secretary could use existing law to address the problem, or if expedited restoration work is needed, expedited environmental review of proposed actions would be performed by the agencies and would include full public notice and participation. In forest types that have been significantly researched, pre-approved management practices could be implemented immediately after an environmental review. Emergency reforestation and restoration projects would then commence. Administrative appeals and litigation would follow the guidelines established under the overwhelmingly bipartisan Healthy Forests Restoration Act (HFRA). Adjacent non-federal lands would also be included in the evaluation when desired by tribal, local government, and private landowners. The evaluation would determine if expedited reforestation and other recovery work are needed in the area and would also identify research opportunities.

Research would be strengthened by: 1) requiring forest health partnerships with colleges and universities when establishing post catastrophe research projects; 2) requiring development of peer reviewed research protocols; 3) allowing peer reviewed research projects to be established in areas affected by catastrophe, and; 4) authorizing research projects on existing Forest Service Experimental Forests.

The Forest Emergency Recovery and Research Act would expand authorized uses of several funding sources for both federal and non-federal land, including annual appropriations, the United States Forest Service Knutson-Vandenberg timber trust fund dollars and salvage sale receipts, Bureau of Land Managements Forest Ecosystem Health and Recovery fund account, and federal Emergency Management Administration funds. The Act would also authorize technical assistance from federal employees for private landowners.

In summary, applying authorities similar to those allowed through the HFRA, the Forest Emergency Recovery and Research Act could greatly help to reestablish forests after catastrophic events. Rapid assessment of conditions, quick action to assist in recovery, and additional funding sources would all be employed to protect forests from further degradation and to speed reforestation efforts. In addition, research activities would improve the state of knowledge about post catastrophic treatments and help the congressionally authorized National Forest Experimental Forests accomplish their mission. Finally, while facilitating quick action in the wake of catastrophic events and strengthening research, The Forest Emergency Recovery and Research Act would ensure collaboration with tribes, state and local governments, colleges and universities, and other interested people.

For additional information, please contact the Subcommittee on Forests & Forest Health (202.225.0691) or Congressman Greg Walden's office (202.225.6730).



The Forest Emergency Recovery & Research Act

MYTHS / FACTS

Myth: The Forest Emergency Recovery and Research Act guts environmental review, public comment requirements and weakens judicial review.

Fact: The Forest Emergency Recovery and Research Act requires thorough environmental review, including full evaluation of the environmental effect of a catastrophic event recovery project and how those effects will be minimized and mitigated in the short-term to promote quick recovery, restoration and reforestation in the long-term. Public notice, appeals and judicial review are required using the exact same process as required in the overwhelmingly bipartisan Healthy Forests Restoration Act. Furthermore, the agencies are required to work with state and local governments, Indian tribes, land-grant universities and interested persons in the development of projects.

Myth: The Forest Emergency Recovery and Research Act would provide a new mechanism for logging old growth while also creating new roads and massive clear cuts.

Fact: Permanent roads are strictly prohibited in the Forest Emergency Recovery and Research Act. Any temporary roads created in the restoration process must be removed upon completion of the project. Timber removal is limited to trees that are down, dead, broken or severely root sprung, where mortality is highly probable within five years of the event or where removal is necessary for worker or public safety. All recovery projects must comply with the desired outcomes in the approved forest plan – meaning habitat snags will remain, as will other necessary debris to prevent erosion and begin the recovery process.

Myth: Administrative appeals do not currently hold up restoration projects.

Fact: Appeals and litigation hold up hundreds of projects on public lands each year. The Forest Emergency Recovery and Research Act uses the exact same administrative appeals process as the overwhelmingly bipartisan Healthy Forests Restoration Act, which includes pre-decisional appeals during the project planning process. This pre-decisional appeals process provides critical information from the public and concerned groups to the agencies at the beginning of the planning process, creating an environment of collaboration to help the agency make better decisions.

Myth: The Forest Emergency Recovery and Research Act would result in artificial "replanting" and/or "restocking," creating forest plantations.

Fact: The Forest Emergency Recovery and Research Act strictly prohibits the replanting of forest plantations and requires the establishment of native or beneficial plants according to the approved forest or resource management plan – including the establishment of biologically diverse forests and plants.

For additional information, please contact the Subcommittee on Forests & Forest Health (202.225.0691) or Congressman Greg Walden's office (202.225.6730).

Myth: You do not need to remove dead trees to help pay for the restoration of forests.

Fact: According to scientists published in the peer reviewed Journal of Forestry, science and experience have shown that removing dead and dying trees does help repair the damage to forests and its associated values while offsetting the cost of these critical activities. For example, in the aftermath of the 2001 Gap Fire on the Tahoe National Forest, a two-year delay in action due to appeals resulted in a \$1.35 million loss in value to the dead and dying trees. This loss in value, if retained through authority authorized in the Forest Emergency Recovery and Research Act, would have more than covered the \$739,000 spent for watershed restoration, resource enhancement and hazardous fuel removal at the Gap Fire site.

Myth: There is no reforestation backlog due to increased forest fires and other natural disturbances.

Fact: In an April 2005 report, the nonpartisan Government Accountability Office conservatively estimated that the reforestation backlog on public lands currently exceeds one million acres. For example, the 2002 Biscuit Fire in southern Oregon burned 499,965 acres of which 178,051 acres are within the Kalmiopsis Wilderness area and congressionally withdrawn from recovery projects. Of the total area burned, 321,914 acres were outside the wilderness with recovery projects authorized on only 49,215 acres. Today, three years later, 9,461 acres have been replanted, representing recovery on less than 20 percent of the total burned area proposed for restoration. This type of painstakingly slow response is adding to an ever-increasing reforestation backlog taking place across the country on federal lands.

Myth: The Forest Emergency Recovery and Research Act is a new taxpayer-subsidized campaign to log on public lands for economic return.

Fact: The Forest Emergency Recovery and Research Act would expand authorized uses of several funding sources for both federal and non-federal land, including annual appropriations, the United States Forest Service Knutson-Vandenberg timber trust fund dollars and salvage sale receipts, Bureau of Land Managements Forest Ecosystem Health and Recovery fund account, and federal Emergency Management Administration funds. Any funds received from the recovery of dead and dying timber would be used to offset the costs of reforestation and rehabilitation, thus maximizing taxpayer dollars. Furthermore, the bill would increase the amount of public land that is rehabilitated, preventing future wildfires, insect infestation and disease outbreak, which would save taxpayer dollars, ensuring America's national forests are healthy for future generations.

Myth: Many salvage logging sales have sold for a single minimum bid at high cost to taxpayers.

Fact: Due to procedural delays, including administrative appeals and litigation, the dead or dying wood deteriorates quickly thereby reducing the value of wood. As a result, many sales go unsold or sell for very little. In some cases, the trees hold little to no value by the time the sale is offered, making the recovery projects too expensive to implement – resulting in no restoration.